

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

NEAL ROMAN ARMSTRONG, SR.	§	CIVIL ACTION NO. 2:07-CV-689-WHA
	§	
VS.	§	
	§	
UNITED STATES OF AMERICA	§	

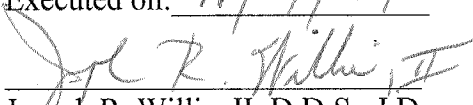
SUPPLEMENTAL DECLARATION OF
JOSEPH R. WILLIE, II, D.D.S., J.D.

My name is Joseph R. Willie, II, D.D.S., J.D. I was the trial and appellate counsel for the Petitioner, Neal Roman Armstrong, Sr. I have read the Petition for Writ of Habeas Corpus concerning the above-entitled and numbered cause and I am now submitting this Supplemental Declaration as an additional response to the Court's inquiry.

The Supreme Court of the United States has recently granted certiorari in two cases that attack the prosecutorial over-reliance and expansive court interpretations of 18 U.S.C. § 1956. The cases are *Cuellar v. United States*, ___ S.Ct. ___, No. 06-1456, 2007 WL 2982279 (Oct. 15, 2007) (*cert. granted*), and *United States v. Santos*, 127 S.Ct. 2098 (Apr. 23, 2007) (*cert. granted*). Both cases have argued that the money laundering statutes cannot be converted into money spending statutes to impose criminal liability where none has been created by Congress. This is the same argument advanced by counsel at the trial court level, on direct appeal to the Eleventh Circuit and in the Petition for Writ of Certiorari to the Supreme Court of the United States.

Even though the Petition for Writ of Certiorari was denied, a denial of a Petition for Writ of Certiorari is not and has never been an adjudication of the merits of a claim and cannot be construed as such by this Court. To repeat, my representation of the Petitioner never fell below the standards as set out in *Strickland* and *Cronic*.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.


Executed on: 11/7/07

Joseph R. Willie, II, D.D.S., J.D.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served, Certified Mail, Return Receipt Requested, to Neal Roman Armstrong, Sr., #0740-094, FCC Yazoo City-Low, P.O. Box 5000, Yazoo City, Mississippi 39194-5000, on the 7th day of November, 2007, and by using the CM/ECF system on the 7th day of November, 2007, which will send notification of such filing to the following:

Susan R. Redmond, Esquire
Assistant United States Attorney

Todd A. Brown, Esquire
Assistant United States Attorney


Joseph R. Willie, II, D.D.S., J.D.